



# Your Data Protection Rights

## 1. Introduction

The General Data Protection Regulations provide you with legal rights over the personal data our school holds about you and your child. This guide will explain your rights and help you to use them.

You do not need to know details about which right applies in which case in order to make a request; it's our responsibility to understand how to handle a request you make.

Your personal data rights are:

Be Informed	Access	Rectify	Be Forgotten
Restrict	Portability	Object	Auto- Decisions & Profiling

We are committed to helping you to exercise your rights through:

- Keeping our guidance simple
- Making it readily available
- Responding to a request from you:
  - **In writing:** by means of your choice wherever practical. If you email us, we'll respond by email unless you ask us to do something different
  - **Verbally:** if you wish, providing we have proof of ID
  - **Promptly:** and no longer than a month after receiving it. If your request is particularly large and complicated, we are allowed to extend the deadline by up to 2 months. If we need to do this we'll let you know within a month and explain why.
  - **In plain English:** avoiding legal terms where possible, but explaining them where we need to use them

### How will you know that a request about me has come from me?

We won't change, delete or share any of your information without being satisfied that it is you who has asked for this (unless the law allows us to). Where we have doubts about a requestor's identity, we will ask for proof of ID and won't go ahead unless we've received this and are satisfied that you are identified.



### **Are you allowed to charge me for a request, or refuse it?**

You should not have to pay us when you're exercising your rights; however, the law does allow us to charge you a reasonable fee if your request is unreasonable or is a repeat of something we've already done for you. In these cases we may be allowed to refuse your request rather than charge. If we plan to charge or to refuse your request, we will let you know and explain why we believe the law lets us do this.

There are other reasons in the law which may mean we cannot do what you ask us to do with your personal data. We have explained these under each of your 'Rights' in this guide.

### **What if I'm not happy with your response to my request?**

We'll always do our best to do what you ask with the personal data we hold about you or your child, however, the law places a responsibility on the school to balance your rights against the rights of other people who may be affected and against the legal powers of other organisations. It may not always be the case that your rights are strongest in every situation. We'll always explain our reasons and will gladly take another look at our decision if you want challenge it.

If you still feel that we haven't done what we should then you have the right to complain to the [Information Commissioner](#) (ICO). Please see the ICO's contact details at the end of this guide.

### **Limiting your Rights**

The law allows for the UK Government to make certain decisions which could result in Data Protection rights being reduced to some extent. However, the law requires that any restrictions of this kind must still be in line with your basic human rights and must be what is expected of rules applying to a democratic country.

The Government may decide to limit the rights for reasons such as national security, preventing crime, investigating certain professional conduct cases etc. We have to take these decisions into account when considering requests from you to exercise your rights.



## 1. Your Right to be Informed

It is important that you know what happens to your personal data whilst we hold it. The law requires us to be honest and open with you about these details and we do this through publishing a number of Privacy Notices on our website; one covering each of the main uses we make of your data.

These Notices are available for you to read and understand so that you know what to expect us to do with your data; either before you share it with us, or where it is given to the school from another organisation that holds it.

We have taken care to explain the details on the Notices in simple language but we would be grateful for any feedback on this to help us with our commitment to review and improve the guidance we give you.

Here are the main things we need to tell you about what we do with your personal data:

- Who we are: School name, the name of our Data Protection Officer and their contact details.
- A description of the type of data we collect about you/ your child
- The reasons why we need this data
- An explanation of how the law allows us to hold and use your data
- Who we might share the data with (either because they provide a service on our behalf or they need it for their own purposes and the law allows this)
- Whether your data may be sent to or stored in a country that is outside the [European Economic Area](#) (EEA)
- When will we no longer need your data and how soon after this we'll delete it
- Which of your rights you are able to use, including the right to withdraw your consent (if this is what allows us to hold your data)
- How to complain to the Information Commissioner's Office (ICO)
- Where we got your data from (if you didn't give it to us yourself)
- Whether we use your data to make automated-decisions or to do profiling

We will make sure the right Privacy Notice is available to you:

- At the time you share your data with us
- When it has been shared with us by another organisation:
  - No later than a month
  - The first time we contact you, or sooner
  - Before or when we share it with someone else

See our [Website](#) for a list of published Privacy Notices

Click [here](#) for more information (ICO Website)



## 2. Your Right to Access your Information

The personal data we hold about you and your child is still yours. You have the right to ask us for access to the data to satisfy you that our use of your data is lawful. Unless the law prevents us from doing so, we must give you:

- Confirmation that we hold your data
- An explanation of what that data is
- Access to your information
- Confirmation of which Privacy Notice(s) explain why we have your data and what we do with it

When dealing with your request we will:

- Let you know what additional information we may need to identify you
- If a request has been made by someone on your behalf, ensure that they have your permission
- Confirm how you would like to receive your information
- Help you to make your wishes clearer if your request is not clear about the information you want.
- The information you receive is information you are entitled to under the law – having considered your rights against the rights of others whose information may be included within documents relating to you, and any other legal reason which may prevent us from sharing data.
- Let you know within a month at the latest about any expected delay, for example if your request is complex, about any fee that the law allows us to charge, or explain any reason we may have to refuse your request.

Click [here](#) for more information (ICO Website)

Please note: There is an additional “right of access” to your Child’s ‘Pupil Record’ – as defined in the Education (Pupil Information) (England) Regulations 2005. The timescale for responding to such requests is fifteen days from receipt of the request (excluding the summer holiday). This right is not affected by GDPR.



### 3. Your Right to have your Data 'Rectified'

The school has a legal responsibility to make sure the data we hold about you and your child is accurate and complete. Where we are made aware that we may hold inaccurate or misleading data about you we must 'rectify' it (change it).

Where you may have moved to a new address, changed contact details or even changed a surname; these are simple changes to make. However, there may be more complex cases where you disagree with an opinion we have recorded about your child's progress for example, and you may decide to ask us to change this. In some cases the law allows us to refuse to make changes to the personal data we hold and the professional opinion of a qualified teacher is an example where we may decline to fulfil a change request.

Any request to change your personal data will be fairly considered and if where having reviewed a contentious record we feel it is inaccurate then we will make changes.

If we do refuse to make changes we will always:

- Explain to you in writing the reasons why we are refusing your request
- Consider adding a statement of your opinion to the record to reflect that there has been a challenge to our professional judgement.

Click [here](#) for more information (ICO Website)